

## CITIZEN POLICE ADVISORY REVIEW BOARD MEETING NOTES

Chair Bottka-Smith called the regular meeting of the Citizen Police Advisory Review Board (CPARB) to order on Tuesday, January 20, 2004 at 5:35 p.m. in the Main Library, Lower Level Meeting Room, 101 N. Stone Avenue, Tucson, Arizona.

Commission Members	Representing	Present/Absent
Suzanne Elefante	Mayor	Present (departed at 06:33 PM)
Ida Wilber	Ward 1	Present
Elizabeth Bottka-Smith, Chair	Ward 2	Present
Vicki Ann Hart, Vice Chair	Ward 3	Present
Cynthia Schiesel	Ward 4	Present
Vacant	Ward 5	
William O. Wills	Ward 6	Present
Advisory Members		
Charles A. Lagattuta	CPARB	Present
Holli McGarry	CPARB	Present
Susan Thornton	CPARB	Present
Jeremy A. Tor	CPARB	Present
Ex-Officio Non-Voting Members		
Andrea Ibáñez	City Manager	Present (arrived at 6:27 PM)
Captain Bill Washington	TPD	Present
Officer Craig Kerlin	TPOA	Absent

Staff Present
Captain Sharon Allen, TPD
Captain Kevin Mayhew, TPD
Lt. Jim McShea, TPD
Lewis M. Anderson, City Attorney's Office
Liana Perez, Independent Police Auditor
Beverly Ginn, City Attorney's Office
Lisa Judge, Legal Advisor, TPD
Ceci Sotomayor, Recording Secretary
Visitors
Council Member Carol West, Ward Two
Dave Frost

AGENDA ITEM	MOTION	ACTION	FOLLOW-UP RESPONSIBILITY
1. Call to Order / Roll Call: 5:34 P.M.			
Council Member Carol West		Chair Bottka-Smith introduced and welcomed Council Member Carol West from Ward Two.  Ms West feels that CPARB is a necessary function and appreciates the hard work of CPARB members.  Ms West expressed that the biggest problem in her Ward are burglaries.  Ms West would like to see the Neighborhood Watch program develop in her neighborhoods.  Other problems in her Ward are traffic issues. Ms West noted that speeding, running red lights, theft and drugs have also increased in her Ward  Ms West appreciates the representatives from the Police Department that attend her neighborhood meetings.	
Introduction of New Advisory     Members		Chair Bottka-Smith welcomed the new advisory members. Additionally, she welcomed new TPD representatives Capt Washington and Lt McShea. She asked that everyone in the room introduce themselves.	
4. Approval of Notes of 12/16/2003	MOTION by Ms. Elefante, seconded by Ms. Schiesel to approve the notes of 12/16/2003, passed by a voice vote of 5 to 0.		
5. Call to the Audience		Mr. Frost expressed his concern reference the service he received after his vehicle was burglarized in October 2003. He is not satisfied with the response and assistance he had from the Police. Chair Bottka-Smith asked Mr. Frost if he has filed a complaint with TPD or Ms. Perez. Mr. Frost expressed his opinion that filing a complaint would be a	

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	waste of his time and will not consider it.	
	Chair Bottka-Smith asked for direction from	
	Mr. Anderson on what the Board could do for	
	Mr. Frost. Mr. Anderson iterated the Board's	
	jurisdiction is to review completed	
	investigations and since Mr. Frost has not	
	filed a complaint, there is nothing the Board	
	can do. Ms. Bottka-Smith asked Mr. Frost if	
	he would be willing to file a complaint with	
	CPARB. Mr. Frost declined to file a	
	complaint. Chair Bottka-Smith asked Mr.	
	Frost if he would like to speak to Lt. McShea.	
	Mr. Frost rejected this option also.	
10. Office of Independent Police	Ms. Elefante requested to have this item	
Auditor	taken out of order since she had to leave for	
	an Alarm Response meeting.	
A) Monthly Contacts	Ms. Elefante brought up the monthly	TPD will re-address the
	allegation number 3151, which referenced	issue of Red Tags at a
	Red Tagging. She took exception to the	future meeting.
	statement that "family gatherings" are exempt	
	from red tagging or the noise ordinance. Ms.	
	Perez clarified that the verbiage should have	
	been that since the residents were compliant	
	when asked to reduce the noise, they were	
	not red tagged. Ms. Elefante felt the Red	
	Tagging enforcement throughout the city is	
	inconsistent and it appears to discriminate	
	against young people. Captain Mayhew	
	stated that officers do have discretion but	
	always have good reason/justification for their	
	steps and actions. Ms. Perez stated that	
	some areas in the city have zero tolerance	
	and do issue more red tags. The issue of red	
	tagging has been an ongoing issue. Ms.	
	Elefante asked this issue be put on a future	
	agenda to allow for a thorough discussion.	
6. HIPAA's affect on TPD	Beverly Ginn gave a presentation on HIPAA,	
	The Health Insurance Portability and	
	Accountability Act of 1996. HIPAA is a	
	Federal Statute, regulating and limiting	
	access to medical information. It applies to	

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	health care providers and processors of
	medical information. Law enforcement
	agencies are exempt. However, HIPAA has
	had an impact on TPD, mostly when asking
	for medical information. TPD has been
	working with other agencies and hospitals in
	the community to mitigate HIPAA's affects.
7. Tucson Police Department	the community to mingate rin AA3 ancets.
A) TPD Updates	A) No reports or updates
D) Office of Internal Affaire	D) It McChan took over the office of Internal
B) Office of Internal Affairs	B) Lt. McShea took over the office of Internal
	Affairs on December 28, and has been
	familiarizing himself with policies and
	procedures of the office. He is currently coordinating the loading of the new software.
	Training on the software should begin this week.
8. Comments to Mayor and City	Captain Allen handed out the received
Council	
Council	comments. They will be discussed at the February meeting.
	i ebidary meeting.
9. RECESS	Five minute recess taken.
10. Office of Independent Police	
Auditor	
A) Monthly Contacts	A) Part of this item was already discussed.
	Chair Bottka-Smith asked about contact 3170
	in reference to addressing issues that are
	older than six months old. Ms. Perez
	explained there is a 6-month cut-off unless
	the issue is particularly egregious and
	warrants a review.
B) Community Outreach / Programs	B)
Update	Ms. Perez was happy to see our new
	member Jeremy Tor as an addition to
	CPARB. She worked with him in the past on
	youth community outreach and feels he will
	be an asset the Board.
	Ms Perez thanked Ms. Hart for serving on
	a panel that interviewed applicants for a
	position in the EEO office.
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	Ma Daraz waa cakad by Chief Miranda ta
	Ms. Perez was asked by Chief Miranda to  he on the Discipling Povious Committee. She
	be on the Discipline Review Committee. She
	will bring the citizen and outside perspective
	to the committee.
11 Random Review of TPD	A) 0309I00059. This was a follow up review
Complaints	from the December's meeting. With the new
	information, the Board agreed the
	investigation was now complete and had no
	further concerns.
	B) 0308l00011. By consensus the Board
	agreed that the investigation was fair and
	thorough and has no concerns.
	C) 0308l00070. By consensus the Board
	agreed that the investigation was fair and
	thorough and has no concerns.
	D) 0308l00023. By consensus the Board
	agreed that the investigation was fair and
	thorough and has no concerns.
	Reference the last three cases, the Board
	expressed its concern that the same officer
	had this many complaints in a relatively short
	period of time and questioned if he was
	getting appropriate attention.
12. Subcommittee Reports:	3-11 -1 -1
A) Community Outreach/Public	(A)
Relations	Chair Bottka-Smith reported that there
	was no meeting but there were a few items to
	report.
	Chair Bottka-Smith gave a presentation at
	Ward Two Neighborhood Leaders quarterly
	meeting.
	Ms Elefante continues to attend the Alarm
	Response commission meetings. They are
	writing the proposed ordinance.
	Chair Bottka-Smith met with Lt. McShea
	and Captain Allen to discuss CPARB's Web
	site.
B) Advisory member Selection	B) Nothing to report.

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C) CPARB Customer Satisfaction Survey	C) The purpose of the customer satisfaction survey is to see how citizens feel about TPD's complaint process. Chair Bottka-Smith reviewed several surveys from other citizen oversight agencies throughout the country to formulate the draft that was included in everyone's packet. She also met with Capt Allen and Lt McShea to get their perspective. The Board liked the draft survey and letter and had no changes. Lt McShea will present it Chief Miranda for his feedback. Additionally, the Board still needs to work out the details of how the surveys would be sent out.	
D) Training	<ul> <li>The annual training date will be May 1, 2004. Chair Bottka-Smith asked the committee to start thinking of training day topics that they would like to see.</li> <li>Chair Bottka-Smith asked the members to keep track of their individual training, such as the time they spend on sub-committees and ride-alongs. She also asked that TPD provide an updated list of points of contacts for setting up ride alongs.</li> <li>Ms. Perez will meet with advisory members to give training about her office.</li> <li>Advisory members were given basic handouts about the Board and its process. Additionally, Chair Bottka-Smith suggested that advisory members attend the next Citizen Police Academy. All current members have attended the academy and found the information to be very valuable.</li> </ul>	<ul> <li>Lt McShea will send current list of points of contacts.</li> <li>Captain Washington will advise the committee on future dates for the Academy.</li> </ul>
E) Annual Report	E) The draft annual report was discussed. Ms. Wilber suggested that a paragraph, requesting money for NACOLE conference attendance, be added. The rest of the Board concurred.	E) Chair Bottka-Smith will amend the report and will have a second draft for review in February.

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13. Future Meetings and Agenda Items:		Council Member Jose Ibarra will attend the February meeting.	
		Red Tag	
4.4 Depart from the Chair /		February: Election of Officers	
14. Report from the Chair / Announcements		<ul> <li>CPARB is on the January 26, 1:30 p.m.,</li> <li>Mayor and Council Study Session agenda. M</li> </ul>	
Announcements		& C will review/discuss the Good Government	
		Subcommittee's recommendations. The final	
		vote will be taken at that evening's regular M	
		& C meeting.	
		Council Member West informed us that	
		starting in February, study sessions will begin	
		at 12:30 and regular meetings will start at	
		<ul><li>5:00 PM.</li><li>TPD has invited all members to attend the</li></ul>	
		next Employee Awards Ceremony, February	
		18 <sup>th</sup> , 2004, 0930. Captain Mayhew also	
		advised that the highest award "The Medal of	
		Honor" would be presented to Officer	
		Hardesty posthumously.	
		Chair Bottka-Smith has been aggressively	
		working to get the Ward Five vacancy filled.	
		Chair Bottka-Smith distributed a pamphlet	
		compiled by the Department of Justice on police department statistics.	
15. Adjournment: - Time: 7:20 P.M.	Motion by Ms. Hart,	police departifient statistics.	
To regornitoria rino rizo rivi	seconded by Mr. Wills		
	to adjourn. Passed by		
	a voice vote of 4 to 0.		

Pursuant to Mayor and Council direction (Regular Session, September 15, 1975) the Committee's minutes are transcribed in a summary style format. Expanded versions of certain specific items, as determined by the Chairperson of the Committee, will be provided upon request. These summary minutes comply with the requirements of the State's Open Public Meeting Law.

Verbatim Tape Record on file in City Clerk's Office Available upon Request